

NOV 22 2016



November 14, 2016

*VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED*

Peninsula Sanitary Service, Inc.
Attn: Louie Pellegrini
339 Bonair Siding
Stanford, California 94305

Agent for Service of Process for Peninsula Sanitary Service, Inc.
Sheila M. Riley
55 N. 3rd Street
Campbell, California 95008

Re: Notice of Violation and Intent to File Suit under the Clean Water Act

Dear Sir or Madam:

I am writing on behalf of San Francisco Baykeeper ("Baykeeper") to give notice that Baykeeper intends to file a civil action against Peninsula Sanitary Service, Inc. ("PSSI") for violations of the Federal Water Pollution Control Act, 33 U.S.C. § 1251 *et seq.* ("Clean Water Act" or "CWA") at the solid waste management facility located at 339 Bonair Siding Road, in Stanford, California ("Facility").

Baykeeper is a non-profit public benefit corporation organized under the laws of California, with its office in Oakland, California. Baykeeper's purpose is to protect and enhance the water quality and natural resources of San Francisco Bay, its tributaries, and other waters in the Bay Area, for the benefit of its ecosystems and communities. Baykeeper has more than five thousand members and supporters who use and enjoy San Francisco Bay and other waters for various recreational, educational, and spiritual purposes. Baykeeper's members' use and enjoyment of these waters are negatively affected by the pollution caused by Facility's operations.

This letter addresses PSSI's unlawful discharge of pollutants from the Facility via stormwater indirectly into San Francisco Bay. Specifically, Baykeeper's investigation of the Facility has uncovered significant, ongoing, and continuous violations of the CWA and the General Industrial Stormwater Permit issued by the State of California (NPDES General Permit No. CAS000001 [State Water Resources Control Board] Water Quality Order No. 92-12-DWQ, as amended by Order No. 97-03-DWQ ("1997 Permit") and by



Pollution hotline: 1 800 KEEP BAY
www.baykeeper.org

1736 Franklin Street, Suite 800
Oakland, CA 94612
(510) 735-9700

Order No. 2014-0057-DWQ ("2015 Permit") (collectively, the "Industrial Stormwater Permit").¹

CWA section 505(b) requires that sixty (60) days prior to the initiation of a civil action under CWA section 505(a), a citizen must give notice of his or her intent to file suit. 33 U.S.C. § 1365(b). Notice must be given to the alleged violator, the U.S. Environmental Protection Agency ("EPA"), and the State in which the violations occur. As required by section 505(b), this Notice of Violation and Intent to File Suit provides notice to PSSI of the violations that have occurred and which continue to occur at the Facility. After the expiration of sixty (60) days from the date of this Notice of Violation and Intent to File Suit, Baykeeper intends to file suit in federal court against PSSI under CWA section 505(a) for the violations described more fully below.

During the 60-day notice period, Baykeeper is willing to discuss effective remedies for the violations noticed in this letter. We suggest that PSSI contact us within the next twenty (20) days so that these discussions may be completed by the conclusion of the 60-day notice period. Please note that we do not intend to delay the filing of a complaint in federal court, even if discussions are continuing when the notice period ends.

I. THE LOCATION OF THE ALLEGED VIOLATIONS

A. The Facility

PSSI operates a solid waste management facility located at 339 Bonair Siding Road at the Leland Stanford Junior University campus. Facility operations include collection and disposal of refuse; collection, processing and marketing of recyclables; collection and processing of food and compostable materials; operation of the Stanford University Recycling and Drop-off Center; and vehicle maintenance, vehicle fueling, and vehicle parking. Potential pollutants include total suspended solids ("TSS"), oil and grease, iron, aluminum, copper, zinc, pH, chemical oxygen demand ("COD"), litter, diesel, transmission and hydraulic oil, motor oil, antifreeze, lubricants, and other pollutants. PSSI discharges to an engineered channel within the Leland Stanford Junior University campus that flows to Santa Rita Creek, which then flows partially underground and discharges to Matadero Creek and to the Mayfield Slough to San Francisco Bay near Sand Point.

B. The Affected Water

San Francisco Bay is a water of the United States. Santa Rita Creek, Matadero Creek, and the Mayfield Slough, as tributaries of San Francisco Bay, are also waters of the United States. Accordingly, all of these waters are protected by the Clean Water Act.

¹ On April 1, 2014, the State Water Resources Control Board adopted the 2015 Permit. As of July 1, 2015, the 2015 Permit superseded the 1997 Permit except for the purpose of enforcing violations of the 1997 Permit. 2015 Permit, Section I.A. (Finding 6).

The Bay is an ecologically-sensitive waterbody and a defining feature of Northern California. San Francisco Bay is an important and heavily-used resource, with special aesthetic and recreational significance for people living in the surrounding communities. However, the Bay's water quality is impaired and continues to decline. The Bay's once-abundant and varied fisheries have been drastically diminished by pollution, and much of the wildlife habitat of the Bay has been degraded.

The CWA requires that water bodies such as San Francisco Bay meet water quality objectives that protect specific "beneficial uses." The beneficial uses of San Francisco Bay and its tributaries include commercial and sport fishing, estuarine habitat, fish migration, navigation, preservation of rare and endangered species, water contact and non-contact recreation, shellfish harvesting, fish spawning, and wildlife habitat. Contaminated stormwater from the Facility adversely affects the water quality of the San Francisco Bay watershed and threatens the beneficial uses and ecosystem of this watershed, which includes habitat for threatened and endangered species.

II. THE FACILITY'S VIOLATIONS OF THE CLEAN WATER ACT

It is unlawful to discharge pollutants to waters of the United States, such as San Francisco Bay and its tributaries, without an NPDES permit or in violation of the terms and conditions of an NPDES permit. CWA § 301(a), 33 U.S.C. § 1311(a); *see also* CWA § 402(p), 33 U.S.C. § 1342(p) (requiring NPDES permit issuance for the discharge of stormwater associated with industrial activities). The Industrial Stormwater Permit authorizes certain discharges of stormwater, conditioned on compliance with its terms.

On or around April 23, 1992, PSSI submitted its original Notice of Intent ("NOI") to be authorized to discharge stormwater from the Facility under the Industrial Stormwater Permit. On or around November 17, 2015, PSSI submitted an NOI to be authorized to discharge stormwater from the Facility under the 2015 Permit. Information available to Baykeeper indicates that stormwater discharges from the Facility have violated several terms of the Industrial Stormwater Permit and the CWA. Apart from discharges that comply with the Industrial Stormwater Permit, the Facility lacks NPDES permit authorization for any other discharges of pollutants into waters of the United States.

A. Discharges in Excess of Technology Based Effluent Limitations

The Industrial Stormwater Permit includes technology-based effluent limitations, which prohibit the discharge of pollutants from the Facility in concentrations above the level commensurate with the application of best available technology economically achievable ("BAT") for toxic pollutants² and best conventional pollutant control

² BAT is defined at 40 C.F.R. § 125.3. Toxic pollutants are listed at 40 C.F.R. § 401.15 and include copper and zinc, among others.

technology ("BCT") for conventional pollutants.³ 1997 Permit, Order Part B.3.; 2015 Permit, Section X.H. EPA has published Benchmark values set at the maximum pollutant concentration levels present if an industrial facility is employing BAT and BCT, as listed in Attachment 1 to this letter.⁴ The 2015 Permit incorporates these Benchmark values as "Numeric Action Levels." 2015 Permit, Section I.M. (Finding 62).

The Facility's self-reported exceedances of Benchmark values over the last five (5) years, identified in Attachment 2 to this letter, indicate that PSSI has failed and is failing to employ measures that constitute BAT and BCT in violation of the requirements of the Industrial Stormwater Permit. Baykeeper alleges and notifies PSSI that its stormwater discharges from the Facility have consistently contained and continue to contain levels of pollutants that exceed Benchmark values for TSS, oil and grease, chemical oxygen demand, pH, iron, aluminum, copper, and zinc.

The Facility's ongoing discharges of stormwater containing levels of pollutants above EPA Benchmark values and BAT- and BCT-based levels of control also demonstrate that PSSI has not developed and implemented sufficient Best Management Practices ("BMPs") at the Facility. Proper BMPs could include, but are not limited to, moving certain pollution-generating activities under cover or indoors, capturing and effectively filtering or otherwise treating all stormwater prior to discharge, frequent sweeping to reduce the build-up of pollutants on-site, installing filters in downspouts and storm drains, and other similar measures.

PSSI's failure to develop and/or implement adequate pollution controls to meet BAT and BCT at the Facility violates and will continue to violate the CWA and the Industrial Stormwater Permit each and every day the Facility discharges stormwater without meeting BAT and BCT. Baykeeper alleges that PSSI has discharged stormwater containing excessive levels of pollutants from the Facility to San Francisco Bay during at least every significant local rain event over 0.1 inches in the last five (5) years.⁵ Attachment 3 compiles all dates in the last five (5) years when a significant rain event occurred. PSSI is subject to civil penalties for each violation of the Industrial Stormwater Permit and the CWA within the past five (5) years.

B. Discharges in Excess of Receiving Water Limitations

In addition to employing technology based effluent limitations, the Industrial

³ BCT is defined at 40 C.F.R. § 125.3. Conventional pollutants are listed at 40 C.F.R. § 401.16 and include BOD, TSS, oil and grease, pH, and fecal coliform.

⁴ The Benchmark values are part of EPA's Multi-Sector General Permit ("MSGP") and can be found at: <http://water.epa.gov/polwaste/npdes/stormwater/EPA-Multi-Sector-General-Permit-MSGP.cfm>. The most recent sector-specific Benchmarks can be found at: http://water.epa.gov/polwaste/npdes/stormwater/upload/msgp2015_part8.pdf ("2015 MSGP"). SIC Code 5093 is covered under Sector N in the 2015 MSGP.

⁵ Significant local rain events are reflected in the rain gauge data available at: <http://www.ncdc.noaa.gov/cdo-web/search>.

Stormwater Permit requires dischargers to comply with Receiving Water Limitations. 1997 Permit, Order Part C; 2015 Permit, Section VI. The Receiving Water Limitations prohibit discharges that cause or contribute to an exceedance of applicable water quality standards ("WQS"). 1997 Permit, Order Part C.2.; 2015 Permit, Section VI.A. Applicable WQS are set forth in the California Toxics Rule ("CTR")⁶ and Chapter 3 of the San Francisco Bay Basin (Region 2) Water Quality Control Plan ("Basin Plan").⁷ See Attachment 1. Exceedances of WQS are violations of the Industrial Stormwater Permit, the CTR, and the Basin Plan.

The Basin Plan establishes WQS for San Francisco Bay and its tributaries, including but not limited to the following:

- Waters shall not contain substances in concentrations that result in the deposition of material that cause nuisance or adversely affect beneficial uses.
- Waters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses.
- Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases from normal background light penetration or turbidity relatable to waste discharge shall not be greater than 10 percent in areas where natural turbidity is greater than 50 NTU.
- All waters shall be maintained free of toxic substances in concentrations that are lethal to or that produce other detrimental responses in aquatic organisms.
- Surface waters shall not contain concentrations of chemical constituents in amounts that adversely affect any designated beneficial use. The Basin Plan, Table 3-4, identifies specific freshwater water quality objectives for toxic pollutants.⁸

The Industrial Stormwater Permit includes additional Receiving Water Limitations that prohibit stormwater discharges that cause or threaten to cause pollution, contamination, or nuisance. See 1997 Permit, Order Part A.2.; 2015 Permit, Sections III.C., VI.C. The Receiving Water Limitations also prohibit stormwater discharges to surface or groundwater that adversely impact human health or the environment. 1997 Permit, Order Part C.1.; 2015 Permit, Section VI.B.

⁶ The CTR is set forth at 40 C.F.R. § 131.38 and is explained in the Federal Register preamble accompanying the CTR promulgation set forth at 65 Fed. Reg. 31,682 (May 18, 2000).

⁷ The Basin Plan is published by the San Francisco Bay Regional Water Quality Control Board at: http://www.waterboards.ca.gov/sanfranciscobay/basin_planning.shtml#2004basinplan.

⁸ Basin Plan, Table 3-4 is available at:

http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/basinplan/web/docs/bp_ch3+tables.pdf

Baykeeper alleges that the Facility's stormwater discharges have caused or contributed to exceedances of the Receiving Water Limitations in the Industrial Stormwater Permit and applicable WQS. These allegations are based on the Facility's self-reported data submitted to the San Francisco Bay Regional Water Quality Control Board. The sampling results indicate that the Facility's discharges are causing or threatening to cause pollution, contamination, and/or nuisance; adversely impact human health or the environment; and violate applicable WQS. For example, the Facility's sampling results indicate exceedances of numeric WQS for copper, zinc, and pH. *See Attachment 2.*

Baykeeper alleges that each day that the Facility has discharged stormwater from the Facility, the Facility's stormwater has contained levels of pollutants that exceeded one or more of the Receiving Water Limitations. Baykeeper alleges that PSSI has discharged stormwater exceeding Receiving Water Limitations from the Facility to San Francisco Bay during at least every significant local rain event over 0.1 inches in the last five (5) years. *See Attachment 3.* Each discharge from the Facility that violates a Receiving Water Limitation constitutes a separate violation of the Industrial Stormwater Permit and the CWA. PSSI is subject to penalties for each violation of the Industrial Stormwater Permit and the CWA within the last five (5) years.

C. Failure to Develop and Implement an Adequate Storm Water Pollution Prevention Plan

The Industrial Stormwater Permit requires dischargers to develop and implement a legally-adequate Storm Water Pollution Prevention Plan ("SWPPP"). 1997 Permit, Section A.1.a. and Order Part E.2.; 2015 Permit, Sections I.I. (Finding 54), X.B. The Industrial Stormwater Permit also requires dischargers to make all necessary revisions to existing SWPPPs promptly. 1997 Permit, Order Part E.2.; 2015 Permit, Section X.B.

The SWPPP must include, among other requirements, the following: a site map, a list of significant materials handled and stored at the site, a description and assessment of all potential pollutant sources, a description of the BMPs that will reduce or prevent pollutants in stormwater discharges, and specifications of BMPs designed to reduce pollutant discharge to BAT and BCT levels. 1997 Permit, Sections A.1-A.10.; 2015 Permit, Section X. Moreover, the Industrial Stormwater Permit requires dischargers to evaluate and revise SWPPPs to ensure they meet these minimum requirements, in particular that the necessary BMPs are in place and being implemented. *See 1997 Permit, Section A.9. (requiring a comprehensive site compliance evaluation completed each reporting year, and revisions to the SWPPP implemented within 90 days after the evaluation); 2015 Permit, Section X.D.2.a. (obligating the discharger to "ensure its SWPPP is developed, implemented and revised as necessary to be consistent with any applicable municipal, state, and federal requirements that pertain to the requirements in [the 2015 Permit].").*

Based on information available to Baykeeper, PSSI has failed to prepare and/or implement an adequate SWPPP and/or to revise the SWPPP to satisfy each of the

requirements of the Industrial Stormwater Permit. For example, PSSI's past or current SWPPP has not/does not include and/or PSSI has not implemented adequate BMPs designed to reduce pollutant levels in discharges to BAT and BCT levels in accordance with the Industrial Stormwater Permit, as evidenced by the data in Attachment 2. In addition, the SWPPP fails to include the information required by the Industrial Stormwater Permit, including but not limited to, full BMP descriptions, a BMP summary table, identification of team members assigned to ensure compliance with the Industrial Stormwater Permit, and identification of drainage areas and stormwater collection and conveyance systems.

Accordingly, PSSI has violated the CWA each and every day that it has failed to develop and/or implement an adequate SWPPP meeting all of the requirements of the Industrial Stormwater Permit, and PSSI will continue to be in violation every day until it develops and implements an adequate SWPPP. PSSI is subject to penalties for each violation of the Industrial Stormwater Permit and the CWA occurring within the past five (5) years.

D. Failure to Properly Sample Stormwater Discharges

PSSI is also in violation of the Industrial Stormwater Permit for failing to sample stormwater for all required parameters. Section B.7.a. of the 1997 Permit required PSSI to "collect samples of stormwater discharges from all drainage areas that represent the quality and quantity of the facility's storm water discharges." Section B.5.c.ii. of the 1997 Permit required facilities to sample for "[t]oxic chemicals and other pollutants that are likely to be present in storm water discharges in significant quantities." Section B.5.c.iii. of the 1997 Permit and Section XI.B.6. of the 2015 Permit require facilities to sample for specific analytical parameters based on their standard industrial classification ("SIC") code. For facilities that fall into SIC Code 4953, landfills and land application sites that receive or have received industrial wastes, except inactive landfills or land application sites occurring on federal lands where an operator cannot be identified, these parameters are TSS and iron. Under the 1997 Permit, PSSI self-classified the Facility under SIC Code 4953, but failed to test its stormwater samples for these parameters. For facilities that fall into SIC Code 5093, scrap and waste materials, the additional required analytical parameters are iron, lead, aluminum, zinc, and COD. Under the 2015 Permit, PSSI self-classified the Facility under SIC Code 5093, but has failed to consistently test its stormwater samples for these parameters.⁹ Thus PSSI has failed to comply with Sections B.5.c. and B.7.a. of the 1997 Permit and Section XI.B.6. of the 2015 Permit.

Furthermore, the Industrial Stormwater Permit requires a minimum number of stormwater sampling events per wet season, with limited exceptions. 1997 Permit, Section B.5.; 2015 Permit, Section XI.B.2. Yet PSSI has failed to sample and analyze at least two stormwater discharges from the Facility during any wet season between 2011

⁹ Based on the information available to Baykeeper, PSSI wrongly classified itself under SIC Code 4953 during the term of the 1997 Permit. As a facility properly categorized under SIC Code 5093, PSSI should have been sampling for iron, lead, aluminum, zinc, and COD, during the 1997 Permit as well.

and 2015. Over the past five (5) years, PSSI reported taking samples only during the 2015-2016 wet season. PSSI has not reported any stormwater samples from the 2011-2012, 2012-2013, 2013-2014, and 2014-2015 wet seasons.

As a result of PSSI's failure to properly sample stormwater discharges from the Facility, PSSI has been in daily and continuous violation of the Industrial Stormwater Permit and the CWA each and every day for the past five (5) years. These violations are ongoing. PSSI will continue to be in violation of the sampling requirements each day that PSSI fails to adequately develop and/or implement an effective sampling program at the Facility. PSSI is subject to penalties for each violation of the Industrial Stormwater Permit and the CWA occurring for the last five (5) years.

E. Unpermitted Discharges

Section 301(a) of the CWA prohibits the discharge of any pollutant into waters of the United States unless the discharge is authorized by a NPDES permit issued pursuant to section 402 of the CWA. *See* 33 U.S.C. §§ 1311(a), 1342. PSSI sought coverage for the Facility under the Industrial Stormwater Permit, which states that any discharge from an industrial facility not in compliance with the Industrial Stormwater Permit "must be either eliminated or permitted by a separate NPDES permit." 1997 Permit, Order Part A.1.; *see also* 2015 Permit, Sections I.A. (Finding 8) and I.C. (Finding 28).

Because PSSI has not obtained coverage under a separate NPDES permit and has failed to eliminate discharges not permitted by the Industrial Stormwater Permit, each and every discharge from the Facility described herein not in compliance with the Industrial Stormwater Permit has constituted and will continue to constitute a discharge without CWA permit coverage in violation of section 301(a) of the CWA, 33 U.S.C. § 1311(a). PSSI is subject to penalties for each violation of the Industrial Stormwater Permit and the CWA occurring for the last five (5) years.

IV. PERSONS RESPONSIBLE FOR THE VIOLATIONS.

Peninsula Sanitary Service, Inc. is the person responsible for the violations at the Facility described above.

V. NAME AND ADDRESS OF NOTICING PARTY

San Francisco Baykeeper, Inc.
1736 Franklin Street, Suite 800
Oakland, CA 94612
(510) 735-9700

VI. COUNSEL

Baykeeper is represented by the following counsel in this matter, to whom all communications should be directed:

Nicole C. Sasaki, Associate Attorney
Erica Maharg, Managing Attorney
San Francisco Baykeeper
1736 Franklin Street, Suite 800
Oakland, CA 94612
(510) 735-9700

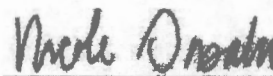
Nicole C. Sasaki: (510) 735-9700 x110, nicole@baykeeper.org
Erica Maharg: (510) 735-9700 x106, erica@baykeeper.org

VII. REMEDIES.

Baykeeper intends, at the close of the 60-day notice period or thereafter, to file a citizen suit under CWA section 505(a) against PSSI for the above-referenced violations. Baykeeper will seek declaratory and injunctive relief to prevent further CWA violations pursuant to CWA sections 505(a) and (d), 33 U.S.C. § 1365(a) and (d), and such other relief as permitted by law. In addition, Baykeeper will seek civil penalties pursuant to CWA section 309(d), 33 U.S.C. § 1319(d), and 40 C.F.R. § 19.4, against PSSI in this action. The CWA imposes civil penalty liability of up to \$37,500 per day per violation for violations occurring between January 12, 2009 and November 2, 2015, and up to \$51,570 per day per violation for violations occurring after November 2, 2015. 33 U.S.C. § 1319(d); 40 C.F.R. §§ 19.1-19.4. Baykeeper will seek to recover attorneys' fees, experts' fees, and costs in accordance with CWA section 505(d), 33 U.S.C. § 1365(d).

As noted above, Baykeeper is willing to meet with you during the 60-day notice period to discuss effective remedies for the violations noted in this letter. Please contact me to initiate these discussions.

Sincerely,



Nicole C. Sasaki
Associate Attorney
San Francisco Baykeeper

Cc:

Gina McCarthy, Administrator
U.S. Environmental Protection Agency
Mail Code: 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Alexis Strauss, Acting Reg. Administrator
U.S. EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105

Bruce Wolfe, Executive Officer
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Thomas Howard, Executive Director
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

**Attachment 1: EPA Benchmarks and
Water Quality Standards for Discharges to Saltwater**

**A. EPA Benchmarks, 2000 and 2015
Multi-Sector General Permit ("MSGP")**

Parameter	Units	Benchmark value	Source
pH	SU	6.0 – 9.0	2015 MSGP
Total Suspended Solids	mg/L	100	2015 MSGP
Chemical Oxygen Demand	mg/L	120	2015 MSGP
Oil and Grease	mg/L	15	2000 MSGP
Aluminum Total	mg/L	0.75	2015 MSGP
Copper Total	mg/L	0.0048	2015 MSGP
Iron Total	mg/L	1.0	2015 MSGP
Lead Total	mg/L	0.21	2015 MSGP
Zinc Total	mg/L	0.09	2015 MSGP

B. Water Quality Standards (Basin Plan, Table 3-4)

Parameter	Units	WQS Value
pH	SU	6.5 – 8.5
Copper	mg/L	0.013
Lead	mg/L	0.065
Zinc	mg/L	0.12

Attachment 2: Table of Exceedances for Peninsula Sanitary Service, Inc.

Table containing each stormwater sampling result which exceeds EPA Benchmarks and/or causes or contributes to an exceedance of Basin Plan Water Quality Standards. The EPA Benchmarks and Basin Plan Water Quality Standards are listed in Attachment 1. All stormwater samples were reported by the Facility during the past five (5) years.

Reporting Period	Sample Location	Sample Date	Parameter	Result	Unit
2015-2016	SW1	11/19/2015	Aluminum, Total	17	mg/L
2015-2016	SW1	12/03/2015	Aluminum, Total	4.6	mg/L
2015-2016	SW1	03/21/2016	Aluminum, Total	7.3	mg/L
2015-2016	SW1	04/22/2016	Aluminum, Total	11	mg/L
2015-2016	SW1	11/19/2015	Chemical Oxygen Demand	850	mg/L
2015-2016	SW1	12/03/2015	Chemical Oxygen Demand	540	mg/L
2015-2016	SW1	03/21/2016	Chemical Oxygen Demand	510	mg/L
2015-2016	SW1	04/22/2016	Chemical Oxygen Demand	400	mg/L
2015-2016	SW1	11/19/2015	Copper, Total	0.13	mg/L
2015-2016	SW1	12/03/2015	Copper, Total	0.087	mg/L
2015-2016	SW1	11/19/2015	Iron, Total	27	mg/L
2015-2016	SW1	12/03/2015	Iron, Total	7.6	mg/L
2015-2016	SW1	03/21/2016	Iron, Total	12	mg/L
2015-2016	SW1	04/22/2016	Iron, Total	16	mg/L
2015-2016	SW1	11/19/2015	Oil and Grease	30	mg/L
2015-2016	SW1	12/03/2015	Oil and Grease	25	mg/L
2015-2016	SW1	12/03/2015	pH	5	SU
2015-2016	SW1	04/22/2016	pH	6	SU
2015-2016	SW1	11/19/2015	Total Suspended Solids	270	mg/L
2015-2016	SW1	12/03/2015	Total Suspended Solids	180	mg/L
2015-2016	SW1	03/21/2016	Total Suspended Solids	210	mg/L
2015-2016	SW1	04/22/2016	Total Suspended Solids	140	mg/L
2015-2016	SW1	11/19/2015	Zinc, Total	1.2	mg/L
2015-2016	SW1	12/03/2015	Zinc, Total	0.83	mg/L
2015-2016	SW1	03/21/2016	Zinc, Total	0.57	mg/L
2015-2016	SW1	04/22/2016	Zinc, Total	0.69	mg/L

**Attachment 3: Alleged Dates of Exceedances by
Peninsula Sanitary Service, Inc.
November 14, 2011 to November 14, 2016**

Days with precipitation one-tenth of an inch or greater, as reported by NOAA's National Climatic Data Center; Palo Alto, California station, GHCND:USC00046646 when a stormwater discharge from the Facility is likely to have occurred. <http://www.ncdc.noaa.gov/cdo-web/search>

2011	2012	2013	2014	2015	2016
11/20	1/21	2/8	2/3	2/7	1/5
	1/23	3/6	2/6	2/8	1/6
	2/14	3/8	2/8	2/9	1/7
	2/29	3/20	2/10	4/7	1/11
	3/14	3/31	2/13	5/15	1/18
	3/15	4/1	2/27	6/11	1/19
	3/17	4/4	2/28	7/10	1/23
	3/25	4/5	3/1	11/10	1/30
	4/1	9/22	3/3	11/15	1/31
	4/11	11/20	3/26	11/25	2/2
	4/13	11/21	3/27	12/4	2/18
	4/26	12/7	3/30	12/10	3/5
	10/22		3/31	12/11	3/6
	10/23		4/1	12/14	3/7
	10/24		4/2	12/18	3/11
	11/1		4/5	12/21	3/12
	11/17		4/6	12/22	3/13
	11/18		4/25	12/23	3/21
	11/21		4/26	12/24	3/22
	11/29		9/18	12/25	4/9
	12/1		10/25	12/28	4/10
	12/2		11/1		4/22
	12/3		11/13		5/7
	12/5		11/21		10/16
	12/16		11/23		10/17
	12/18		12/1		10/28
	12/19		12/2		10/29
	12/22		12/3		11/1
	12/23		12/4		
	12/24		12/5		
	12/26		12/10		
	12/27		12/11		
	12/29		12/12		
			12/16		
			12/17		
			12/18		
			12/20		
			12/25		

